

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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In re:

NATIONAL FORGE COMPANY, et al.,

Debtor.

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OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF NATIONAL FORGE  
COMPANY,

Civil No. 04-21 Erie

Plaintiff,

and

OFFICIAL COMMITTEE OF RETIREES  
OF NATIONAL FORGE COMPANY,

Intervenors,

v.

E. ROGER CLARK, both Individually and as  
an Officer and Director of National Forge  
Company, et al.,

Defendants.

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MOTION OF DEFENDANTS E. ROGER CLARK, MAURICE J.  
CASHMAN, DANA BEYELER AND ROBERT A. KAEMMERER  
FOR ENTRY OF AN ORDER GRANTING SUMMARY JUDGMENT

Defendants E. Roger Clark, Maurice J. Cashman, Dana Beyeler and Robert A. Kaemmerer hereby move, pursuant to Fed. R. Civ. P. 56, for entry of an Order granting them summary judgment on the grounds that the causes of action alleged by the Plaintiffs in Counts I, II, III and VI are barred by Bankruptcy Code § 546(e) and those causes of action alleged in Counts IV and V are premised on statutes that have no application here. Both arguments are fully set forth in the Brief that accompanies this Motion.

Dated: July 18, 2005

Respectfully submitted,

/s/ Erik Sobkiewicz

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Beyeler and Robert A. Kaemmerer